

## **ATTACHMENT B**

### **Bureau of Population, Refugees, and Migration Reception and Placement Program Guidelines for Participants (Effective October 1, 2008)**

These Guidelines govern reception and placement services provided to all refugees resettled in the United States under Cooperative Agreements with the Bureau of Population, Refugees, and Migration.

The Bureau must approve any exceptions to these guidelines in writing.

#### **I. Definitions**

The definitions contained in Section 8.B.4 of the Cooperative Agreement shall apply for purposes of these Guidelines.

#### **II. Assignment of Cases**

##### **A. Basis for Assignment of Reception and Placement Responsibility**

A written proposal, submitted by the Agency and recognized by the Bureau in its Cooperative Agreement document, will constitute the basis for the assignment of Reception and Placement responsibility for specific refugees.

##### **B. Special Cases**

Subject to any limitations established in these documents (e.g., the inability of the Agency to assist refugees of a particular linguistic group), the Bureau may assign a reasonable number of special cases to any participating Agency.

##### **C. Pre-destined Cases**

The Refugee Processing Center (RPC) will maintain the official data file of all interests submitted by Agencies on behalf of U.S.-based relatives or friends. An Agency has a "registered interest" in a case if one of the following criteria is present:

1. an interest has been filed with the RPC;
2. the refugee's biodata transmitted from the overseas processing entity (OPE) notes that an Agency has filed an Affidavit of Relationship (AOR) with the OPE. (Note: There must be an AOR completed by a U.S. relative for a refugee eligible for Priority 3 according to processing

guidelines. Indications by the OPE of Agency preference are insufficient to merit a claim on a refugee case);

In order for an AOR to be considered valid, it must have been filed by the Agency national headquarters according to Bureau guidelines.

3. a cross-referenced case or portion of a split case went to that Agency as a predestined case;
4. the case is a Visa-93 case and the Agency is referenced in the biodata. Interests filed by anyone other than the petitioner (spouse or parent) are invalid.

If a case originates at an OPE and the Agency filing the AOR or interest is the OPE's corresponding U.S.-based Agency, the AOR or interest must be filed prior to the registration date of the case overseas.

Once the case has been sent to the RPC for allocation, filing of interests is not permitted. Where two or more Agencies have such a relationship with a case (competing interests), a decision regarding appropriate placement and local affiliate responsibility should be made directly between the interested Agencies, centered upon the objectives of assisting refugee self-sufficiency, facilitating family reunification (particularly for Code 1 cases), and providing quality service to the refugees, and be consistent with guidelines on placement, i.e., with a Bureau-approved local affiliate (see Section IV, below). Disputes that cannot be resolved between the parties concerned will be referred to the Bureau for decision.

#### **D. Allocations Group**

The RPC and EMM will jointly host regularly scheduled video-conference meetings for the purpose of distributing biographic data received from overseas processing entities for refugees requiring assurances. All Agencies with headquarters in Baltimore, the Washington, DC area, and New York are expected to attend allocations group meetings. Agencies with headquarters located elsewhere should join the meeting via telephonic conference call. On an exceptional basis, Agencies may be given the option to join the meeting via telephonic conference call.

#### **E. Free Cases**

Cases are considered "free" cases when:

1. they have no registered Agency interest and are not destined to a specific resettlement area; or

2. for cases other than Placement Code 1 (immediate family members), placement with proposed anchors would be inappropriate.

Allocation of these cases will be the responsibility of the RPC, which will allocate them from the Worldwide Free Pool according to a process established by the Bureau.

#### **F. Geographic Cases**

Cases are considered "geographic" cases when:

1. they are destined to specific resettlement areas for reasons of family reunification; and
  - (a) there is either no prior registered Agency interest; or
  - (b) interests on file at the RPC do not correspond with the resettlement preference stated by the refugee on the biodata; or
  - (c) the Agency with prior interest is not approved for resettlement in the area; or
  - (d) a cross-referenced case or portion of a split case was allocated through the Worldwide Free or Geo Pool.

Allocation of these cases will be the responsibility of the RPC, which will allocate them from the Worldwide Geo Pool according to a process established by the Bureau. Cases accepted by an Agency that, through the sponsorship process, determines that the final resettlement site is not within the approved placement area of one of its Bureau-approved affiliates, shall either request a placement exception from the Bureau or return the case to the RPC in accordance with the timelines and due dates specified in Section III.B. The RPC, in turn, will return this case to the pool of Geo cases.

See Section III.B regarding deadlines for returning cases allocated from the pool to the RPC and corresponding pool credits that may be given to the Agency.

### **III. Filing Assurances**

#### **A. Assurance Criteria**

For assurances submitted to the RPC for transmission overseas, Agencies must use the "Reception and Placement Program Assurance Form." The assurance form must be signed by an authorized employee of the Agency who is responsible for ensuring that all required data elements on the form are completely and accurately filled out. Assurances shall be considered timely if electronically submitted on or before the due date. The report shall be submitted to the RPC at [Incoming-Datafiles@wrapsnet.org](mailto:Incoming-Datafiles@wrapsnet.org). Any

assurances lacking required information such as minor codes, placement codes, or placement location will be rejected for data entry by the RPC. Also, any information supplied on the assurance that does not match the information cited on that case's biodata or on additional documentation available particular to that case (e.g., different case number, different case size, different names) will be returned for clarification. Any assurances returned to Agencies must be resubmitted with the appropriate corrections within seven (7) days.

A copy of the signed assurance form will be maintained on file at the headquarters of the Agency for a period of at least one year from the date the refugee enters the United States. A copy of the assurance form or equivalent documentation will be maintained in the local affiliate case file.

#### **B. Assurance Submission Deadlines**

Excluding emergency cases, Agencies are to submit assurance forms to the RPC no more than four weeks after allocation unless after discussion with the Agencies another timetable has been designated by the Bureau. Hereinafter, this is known as the assurance due date.

The assurance due date may be extended by four weeks when exceptional circumstances make assuring the case by the due date impossible. The case's assurance due date may be extended one time. If the agency is unable to assure the case after a four week extension, the case must be inactivated or returned to RPC for reallocation.

Exceptional circumstances leading to an extension could include:

1. medical holds;
2. administrative holds;
3. large group placements;
4. unlocatable anchors;
5. requests for additional information from overseas;
6. changes in placement location; or
7. changes in anchor situation.

In rare instances, cases may be converted to inactive status when one of the above circumstances results in an anticipated long-term delay in refugee travel. Cases for which an anomaly report has been submitted by the Agency to DHS-CIS, should be inactivated until the OPE confirms that the case is cleared for continued processing.

If an Agency cannot assure a case due to inability to locate an anchor, the Agency should request updated anchor contact information from the OPE. Regardless of processing priority, if no new anchor information has been provided by RPC or the OPE by the original assurance due date, the due date may be extended by four weeks by filing a waiver form with RPC. If the case cannot be assured by the extended due date, the Agency should resettle the case as a free case, rather than submit an assurance inactivation. The Agency will be charged against the original pool allocation. Cases based on the filing of an I-730 petition (or Visas 93 cases) for which the anchor has not been located cannot be placed as free cases without written permission from the Bureau and DHS/CIS obtaining written permission to place it as a free case from DHS-CIS.

If, by the due date, a case has not been assured, received a formal due date extension waiver, or been inactivated, the case will be transferred/reallocated at the next allocations meeting (and so noted by the RPC) to another Agency.

Cases originally allocated from the free or geo pools, which are not transferred or waived by the due date, will count against the initial receiving Agency's allocation ceiling.

If the case is transferred prior to the due date, the due date will be automatically extended so that the receiving Agency has four weeks from the date of transfer to assure the case, unless the case needs to be expedited due to an emergency. The new due date and new Agency will be recorded in the RPC database and reflected on subsequent three-week and one-week assurance due reports.

If an inactive case is reactivated, the case will receive a new due date that is four weeks from the date of reactivation. The new due date and, if applicable, new Agency, will be recorded in the RPC database and reflected on subsequent three-week and one-week assurance due reports.

### **C. Amended Assurances**

Before a case arrives in the U.S., Agencies are to submit amended assurances to the RPC within (2) two weeks of the RPC request date when:

the OPE submits amended biodata for the case; or

the OPE submits additional information which changes the placement plan e.g., new medical conditions have been identified after biodata is sent.

Agencies are to submit to the RPC amended assurances within 60 days of a case's arrival to the U.S. when:

the case moves to another resettlement site serviced by a Bureau-approved affiliate of the same sponsoring Agency;

the case's placement or minor code status changes from that originally reported to the RPC (i.e., a conversion from a family reunification case to a free case); or,

new members are added to or dropped from the case.

See Section III.D.2 for requirements for amended assurances for cases transferred to another sponsoring Agency after arrival.

#### **D. Transfer Cases**

##### **1. Before Arrival**

###### **(a) Transfers to Agencies Holding a Registered Interest**

Interest cases allocated to and accepted by one Agency for resettlement by one of its affiliates may be transferred to another Agency that also had a registered interest in the case. The losing Agency must provide written notice of this transfer to the RPC within one week of such transfer. Transfers for unassured interest cases must occur no later than the assurance due date. The RPC must be notified of such transfers no later than the assurance due date. As the gaining Agency had a registered interest on the case, the gaining Agency will not have the case charged against its pool allocation. The gaining Agency, upon accepting the transferred case, becomes fully responsible for it. The assurance due date will be changed if required according to guidelines specified in Section III.B.

###### **(b) Cases Reallocated to an Agency Not Holding an Interest**

If an Agency cannot sponsor a case and there is no other Agency holding an interest that can resettle the case, the case must be returned to the RPC for reallocation. However, if there is no competing registered interest but the anchor has indicated in writing that he wishes to work with a particular Agency, direct reallocation between Agencies is permitted, provided that a reallocation form is submitted to the RPC at the time of reallocation. The gaining Agency receiving the reallocated case will have the case charged to its pool allocation.

If the case originated in the current pool, the losing Agency returning the case to the RPC will receive full pool credit only if the Agency complied with the timelines and due dates specified in Section III.B. The gaining Agency receiving the reallocated case will have the case charged to its

pool percentage. The gaining Agency, upon accepting the reallocated case, becomes fully responsible for it. The assurance due date will be changed if necessary to comply with the guidelines specified in Section III.B.

**2. After Arrival**

In those instances where a newly arrived case needs to be transferred to another Agency to comply with local presence requirements, both the losing and gaining Agencies are to submit transfer and assurance notices to the RPC within 30 days of the arrival of the case. In other circumstances, prior approval of the Bureau must be obtained.

**IV. Placement**

- A. The Agency shall describe its network of affiliates in its annual proposal, including the proposed service area to be covered by each.
- B. An Agency may assure and place a case assigned to it under the Agreement only within the approved service area and caseload projections of its approved affiliates as set forth in the proposal.
- C. The Bureau authorizes family reunion case placement within a radius of 100 miles within the same state of the affiliate and free case placement within a radius 50 miles within the same state of the affiliate.
- D. The Bureau will consider approving a larger service area for family reunion cases when the Agency demonstrates to the satisfaction of the Bureau that the larger area will not impair the quality of service provided to refugees placed in that area and that a representative of the affiliate will be able to respond on a same day basis to any urgent needs of the refugee(s).
- E. With respect to every placement, the Agency or affiliate will have on staff, or available from within the community of resettlement, persons who can communicate with the refugee in a common language and who can assist with the provision of services as needed. These services will be available to the refugee on a daily basis during the 90-day period.

**V. Documentation**

The affiliate named on the assurance form will be responsible for maintaining case files which document evidence of required core service delivery, including:

- A. a clearly legible casenote log which indicates date, mode, and substance of regular affiliate/refugee contact throughout the 90-day core service period and which includes a clear plan of action for each refugee in the case, based on an assessment of individual needs, and a detailed record of core service delivery;
- B. a record of cash and in-kind support provided to meet the refugees' basic needs for at least the initial 30-day period, including clear acknowledgement by an adult member of the refugee family of receipt of cash and in-kind support and evidence that the amount provided either in cash or documented cash payments on behalf of the refugee case is equal to at least \$425 times the number of individuals in that case;
- C. a record of public assistance received, indicating type(s) of assistance and start date(s);
- D. for family reunion cases, a signed agreement with the anchor relative clearly indicating which services he or she has agreed to provide, and those which the affiliate has agreed in advance to provide. This agreement should reflect discussions with anchors about responsibility for service that acknowledge the agency's ultimate responsibility for core service delivery;
- E. if appropriate, a copy of the signed co-sponsor agreement;
- F. evidence that the affiliate has arranged for at least one home visit, other than an initial home safety orientation on arrival, within (30) thirty days of arrival by affiliate staff, co-sponsor, or other designated representative and a second home visit to permanent housing if the refugee moves from temporary housing within the first 90-days;
- G. a core service checklist which identifies persons or entities who assisted the refugee in obtaining services, and the date and nature of services;
- H. documentation of referrals to state-administered assistance and social service programs;
- I. evidence that the refugee was provided with information on permanent resident alien status, family reunion procedures, and change of address reporting requirements;
- J. a resettlement plan which indicates the initial assessment of employability for each employable refugee and a clear plan of action for each refugee, including children, based on an assessment of individual needs;



- K. where applicable, copies of suitability determinations for placement of refugee minors, Minor Follow-up Evaluation Forms and signed statements concerning responsibilities and legal obligations in the state of residence;
- L. a legible copy of the I-94 form for each refugee in the unit;
- M. a 90-day report form, based upon an interview with the refugee by the affiliate or local co-sponsor from which it can be determined, inter alia:
  - 1. that all Reception and Placement core services were made available to the refugee;
  - 2. whether the refugee unit was economically self-sufficient at 90 days;
  - 3. that each employable refugee, if not self-sufficient, was involved in a program to overcome barriers to self-sufficiency, and had been formally referred to state-funded or other appropriate social service providers;
  - 4. that each unemployable refugee, not part of a self-sufficient unit, had been referred to state-funded or other appropriate social service providers;
  - 5. the social security number for each refugee in the unit.
  - 6. that each responsible refugee had been informed of the legal requirement to repay his/her IOM promissory note.

A copy of the completed 90-day report form will be provided to the Agency headquarters. Data from this form will be submitted to the RPC by the 15<sup>th</sup> day of the second month following the month in which the 90-day period ends, and shall be considered timely if electronically submitted on or before the due date. The report shall be submitted to the RPC at [Incoming-Datafiles@wrapsnet.org](mailto:Incoming-Datafiles@wrapsnet.org). The original form will be retained by the affiliate for a period of not less than three years from the date of arrival. Agency headquarters will retain the reported information for a period of not less than one year from the date of arrival, and will make it available for review by the Bureau upon request;

- N. in the case of free case refugees ages 18 to 64:
  - 1. documentation of contact at 180 days to determine their employment status; and
  - 2. for refugees counted as employed, documentation of the employer and the start (and, if applicable, stop) dates of employment.

## **VI. Performance Standards**

The Bureau will evaluate Agency performance on an ongoing basis and will expect timely national Agency cooperation to remedy any identified weaknesses in affiliate, sub-office, or national Agency performance. In extreme circumstances, the Bureau may find it necessary to restrict placement of cases to affiliate offices for a period of time to allow for corrective action by the national Agency. The Bureau will evaluate Agency performance in the following areas:

### **A. National Agency Program Management**

#### **1. Headquarters Management**

##### **(a) Staff Training**

Headquarters should have in place a formal plan for training new headquarters staff and affiliate directors, and should ensure that each affiliate has a structured training plan for each of its new employees. Headquarters should also have in place a mechanism for training existing staff at all levels on changes that occur in the R&P Program, as well as local and national legislative changes that affect refugee resettlement.

##### **(b) Communication with Affiliates on Policy Changes**

Headquarters should have in place mechanisms for informing affiliates of policy changes and shifts in expected refugee arrivals. Headquarters should also have in place mechanisms for informal communications with affiliates on everyday resettlement issues.

##### **(c) Strategy for Site Selection**

Headquarters should have in place a coherent strategy for selecting resettlement sites and placement of individual refugee cases. That strategy should show evidence of adaptability to new circumstances, e.g., influx of new ethnic groups, welfare or economic changes in any given location. Such strategy should also provide adequate justification for continued use of a site with poor employment outcomes.

##### **(d) Corrective Action on Program Deficiencies**

Headquarters should maintain records of corrective actions taken by affiliates in response to recommendations made by headquarters and Bureau monitors during on-site and telephonic monitoring reviews. These records should show evidence of follow-up as needed, and should address each recommendation made by the monitors.

2. On-Site Monitoring

(a) Frequency of Monitoring

Headquarters should maintain records verifying that it conducts on-site monitoring of each affiliate and sub-office in its network at least every three years, unless the office has resettled fewer than 25 refugees during the previous fiscal year. Headquarters should also perform and document monitoring visits to affiliate offices that have experienced a turnover in resettlement directors within one year of the new director's appointment. Bureau exceptions to these requirements, which should be requested only in exceptional circumstances, should also be documented.

(b) Written Reports

Headquarters monitors should write a formal report for each monitoring visit they conduct. The report may contain a checklist format for easily quantifiable elements of the review, but must contain a narrative statement describing the affiliate's R&P Program, including quality of housing and local services and the local resettlement environment. The report should contain evidence of a review of the affiliate's 180-day free case employment outcomes and a corrective action plan if those outcomes were lower than 75%. The report should show evidence of contacts made by the monitor(s) with state and local refugee program officials and must contain recommendations for any necessary follow-up.

(c) Case File Review

Headquarters monitoring reports should contain evidence of the monitor's review of 5% (but not fewer than 10 cases, nor more than 30 cases) of all case files for cases which arrived during the preceding 12-month period, including a representative sample of local co-sponsor placement, if applicable. The monitoring reports must indicate whether the case files contained fully completed resettlement plans for each member of the family, core services checklists showing timely delivery of all required services, and 90- day reports. The reports should also indicate whether the case logs presented a complete and accurate picture of the resettlement process.

(d) Quarterly Affiliate Monitoring and R&P Program Summary

Agencies shall submit quarterly a brief summary of its affiliate monitoring activities and findings on each affiliate monitored. The report shall include a discussion of actions taken to address any identified weaknesses in R&P core service delivery, including follow-up on corrective actions taken as a

result of prior agency or Bureau monitoring. The report shall include notable general trends concerning or affecting refugee resettlement throughout the Recipient's network. The report shall also include a discussion of any training or conferences organized under the Agreement, including number of persons who attended and their relationship to the R&P program, the purpose or goals of the event, and the outcomes. Reports shall be submitted to the Bureau within thirty (30) days of the end of each reporting period. The reports shall be due on or before January 31, 2009; April 30, 2009; July 31, 2009; and October 31, 2009.

3. 90-Day Reports:

(a) Availability

Headquarters staff should be able to provide all 90-day reports requested by Bureau monitors during the annual headquarters review.

(b) Accuracy and Completeness

The 90-day reports reviewed by the Bureau monitors should be accurate and complete.

(c) Timeliness

The 90-day reports reviewed by the Bureau monitors should have been completed in a timely manner, as defined in the Cooperative Agreement, Section 8.F.1.d.

(d) Adherence to Cooperative Agreement and Guidelines

The 90-day reports reviewed by the Bureau should adhere to all requirements contained in the Cooperative Agreement and Guidelines.

4. Sponsorship Assurances:

(a) Availability

Headquarters staff should be able to provide all Sponsorship Assurances requested by Bureau monitors during the annual headquarters review.

(b) Accuracy and Completeness

The Sponsorship Assurances reviewed by the Bureau monitors should be accurate and complete.

(c) Timeliness

The Sponsorship Assurances reviewed by the Bureau monitors should have been completed in a timely manner.

(d) Adherence to Cooperative Agreement and Guidelines

The Sponsorship Assurances reviewed by the Bureau should adhere to all requirements contained in the Cooperative Agreement and Guidelines.

5. Affidavits of Relationship (AORs):

(a) Availability

Headquarters staff should be able to provide copies of all AORs requested by Bureau monitors during the annual headquarters review.

(b) Accuracy and Completeness

The AORs reviewed by the Bureau monitors should be accurate and complete and adhere to Bureau guidance and policies.

(c) Adherence to Cooperative Agreement and Guidelines

The AORs reviewed by the Bureau should adhere to all requirements contained in the Cooperative Agreement and Guidelines.

6. Timely submission of Reports:

(a) Free Case Employment Reports

(b) Quarterly Affiliate Monitoring and R&P Program Reports

(c) Annual Report

(d) Reconciliation of Claimed Refugee Sponsorships

(e) Quarterly Financial Status Reports

(f) Availability of Funds Statement for Current Fiscal Year

(g) Audit Data Collection Form and Reporting Package

**B. Employment and Secondary Migration**

1.      **Employment of Refugees**

Although the Agency is not required to effect job placement through its own efforts, the Cooperative Agreement requires that the Agency provide employment orientation and appropriate referrals. Refugee program service providers or other resources available in the community may accomplish job placement. Since employment is recognized as one of the significant elements in successful resettlement, the Agency will determine the employment status of each employable refugee at the end of ninety days and, for free cases, at 180 days.

For this purpose, a refugee will be considered to have been employed if at the end of six months in the United States the refugee has spent six weeks in any job(s) of 35 or more hours per week.

2.      **Secondary Migration of Refugees**

The Bureau will review the Agency's out-migration performance as a part of its annual review.

**C.      Bureau Monitoring of Agency Affiliates**

1.      **On-Site Monitoring Visits**

All affiliates and suboffices are subject to monitoring by the Bureau with advance notice to the Agency and affiliate. Findings and recommendations will be reported in writing to the Agency, which will respond to the recommendations in writing before reports become final. Evaluation will be based on affiliate staff interviews, oral and written questionnaires, case file reviews, and refugee home visits. Reviews will include evaluation of:

- (a)      affiliate staff understanding of required Reception and Placement Program services;
- (b)      demonstration of effective coordination with other refugee resettlement organizations ;
- (c)      quality of R&P core service delivery;
- (d)      presence of all documents in file and degree to which each has been thoroughly and legibly completed);
- (e)      evidence of orientation and training of co-sponsors;

- (f) quality of affiliate's assessment of family cases to determine suitability of anchor to provide core R&P services.

The Bureau will provide an oral overview of its findings and recommendations to the affiliate immediately following the review.

**D. National Agency Response**

The responsiveness of the Agency to the Bureau's monitoring reports, including timeliness of response to the draft report and timely implementation of recommendations will be evaluated.

**E. Loan Collections**

Under Section 8.C.9 of the Cooperative Agreement, the Agency is required to use its best efforts to collect amounts due from refugees for transportation loans through the establishment and maintenance of a computerized collection system that permits the initial bill to be sent within six months of the refugee's arrival in the U.S.; the regular mailing of bills and reminder notices to encourage repayments to be made according to schedule; the management of the loans in accordance with its MOU with IOM; and full accounting and appropriate transfer of collections to IOM.

1. The Agency's efforts shall include:
  - (a) developing and maintaining a loan collection system that provides for the prompt billing of refugees within six months of arrival, provided required loan information has been received;
  - (b) billing refugees monthly for the first 36 months provided a valid address is available. If no payments are received during this period, bills may be sent every six months during the remainder of the period the note is held;
  - (c) maintaining a system that actively seeks refugees' current addresses and social security numbers for use in collection activities;
  - (d) maintaining a system that records and calculates balances on individual refugee loan accounts;
  - (e) establishing and maintaining a procedure for reviewing and determining the appropriateness of requests for deferral, up to six months, in accordance with established criteria;

- (f) maintaining a procedure for transferring collections to IOM on a monthly basis with required accounting details;
  - (g) reporting collections and fund transfers on a quarterly basis to IOM and to the Bureau;
  - (h) transferring to IOM all loan notes within 90 days of becoming past due according to the established terms of the loan note and the guidelines set forth in the Agency's MOU with IOM; and
  - (i) submitting requests regularly to IOM for approval to write off loans for humanitarian reasons in accordance with established criteria.
2. In addition, the Agency will ensure that each affiliate, during the 90-day initial reception and placement period:
- (a) informs each refugee who signed an IOM loan note that the loan is a legal debt that must be repaid in accordance with the terms of the note, and document this notification on the 90-day form;
  - (b) reports to the Agency headquarters on a monthly basis any known change in the address of an adult refugee; and
  - (c) requests and maintains a record of the Social Security number obtained by each refugee in connection with the assistance provided under Section 8.C.4 of the Cooperative Agreement.

The Agency shall make the information under subparagraphs 2.(b) and 2.(c) above available to the Bureau upon request.